



CLEAN WATER ACTION

MICHIGAN

May 3, 2012

Re: Clean Water Action opposition to SB 1052

Dear Honorable Members of the Senate Natural Resources, Environment, and Great Lakes Committee,

On behalf of our over 250,000 Michigan members, Clean Water Action urges you to oppose Senate Bill 1052.

All Michigan citizens, not just riparian owners, have water rights that cannot be denied. It is the duty of the state to ensure those rights are not infringed upon and to hold and protect our waters in the public trust. The state's Supreme Court has upheld this concept, which is what allows free movement by pedestrians along the shores of the Great Lakes, below the ordinary high water mark. Senate Bill 1052 attempts to limit those rights by removing the state's right to regulate based upon the court-enforced ordinary high water mark.

Part of holding the water in public trust to protect all of our water rights means protecting the integrity of Michigan's aquatic ecosystems. Fish breed in coastal marshes and in other vegetation at the water's edge which also provides habitat to the myriad of organisms, like snails, that are essential to the food chain. Without safeguards that limit removal of this important water-dependant vegetation, we threaten the state's \$2 billion fishing industry and risk permanently ruining our invaluable water bodies.

Clean Water Action opposed a similar Coastal Wetlands Destruction bill back in 2003. The General Permit system was put in place to mitigate much of the damage that occurred after the passage of that legislation almost a decade ago. And though Clean Water Action has been highly concerned with providing a General Permit for beach grooming activities as aquatic vegetation is so essential to the health of our water, we felt it was a major improvement over PA 14 of 2003. The GP process has been made easier to navigate, and permits are very rarely denied. The groups who agreed to the creation of the General Permit system should not be allowed to go back on those agreements now.

Instead of streamlining the process or making other changes to better public education around the General Permit program, SB 1052 attempts allow the complaints of a few landowners to usurp the water rights of all Michigan citizens. Not only do state officials like the members of this Committee have a duty to protect our waters now, there is a duty to ensure the health of our water for future generations.

Please oppose SB 1052.

Sincerely,

Susan E. Harley, J.D.
Michigan Policy Director